

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, JUNE 9, 2009

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN BESON)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

49-58 **V MINUTES (5/12/09)**

VI CITIZEN INPUT (4:00 P.M.)

VII PETITIONS AND COMMUNICATIONS

A. Presentations

1. USS Edson - Ship Status Update **(Receive)**
2. Dr. Eric Sorsone and Dr. Mark Skidmore, MSU Extension, Local Government Services - Presentation on performance budgeting/benchmarking - what other communities are doing and how this can work in Bay County **(Receive)**

1- 4 B. City of Bay City - Application for Industrial Facilities Tax Exemption Certificate - Bay Cast - \$530,000 **(Receive)**

C. Requests for Appointment/Reappointment to Bay County Library Board **(Receive)**

5- 6 1. Frank M. Quinn (Incumbent)

7 2. Samantha Smith

VIII

REPORTS/RESOLUTIONS OF COMMITTEES

A. WAYS AND MEANS (BRIAN K. ELDER, CHAIR; DONALD J. TILLEY, VICE CHAIR)

- | | | |
|-------|-----|--|
| 8 | 1. | No. 2009-102 - Family Dependency Drug Court - 3 Year Grant (Probate Court) |
| 9 | 2. | No. 2009-103 - Transfer Fee Revenue and Sales Proceeds from 2007 Delinquent Real Property Tax Sale (Treasurer) |
| 10 | 3. | No. 2009-104 - Addition of Names to Veterans Monument (Board of Commissioners) |
| 11 | 4. | No. 2009-105 - Stimulus Broadband Collaboration Efforts Grant (ISD) |
| 12 | 5. | No. 2009-106 - Community Corrections Plan Grant for FY 2010 (Community Corrections) |
| 13 | 6. | No. 2009-107 - Amendment # 3 to CPBC Agreement (Health Department) |
| 14 | 7. | No. 2009-108 - Executive Order 2009-22 CPBC Program Reduction (Health Department) |
| 15 | 8. | No. 2009-109 - Completion of Bay County Riverfront Siren System Project (9-1-1 Central Dispatch) |
| 16 | 9. | No. 2009-110 - Budget Adjustments (Division on Aging) |
| 17-18 | 10. | No. 2009-111 - 2010 Budget Schedule/Calendar (Finance Dept.) |
| 19-36 | 11. | No. 2009-112 - Farmland Development Rights Ordinance: Ordinance 49 (Environmental Affairs) |
| 37 | 12. | "Buy Michigan First" Policy (Committee Chair will address this issue) |

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- 44-48

IX

- A.**

X

- A.

XI

XII

XIII

XIV CLOSED SESSION (If requested)

XV RECESS/ADJOURNMENT

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

PAGE 1 of 2

DATE OF BOARD MEETING: JUNE 9, 2009

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2009-95	Personnel/Judicial	Register of Deeds - Fill Typist Clerk III full time position	XX						
2009-102	Ways and Means	Probate Ct. - 2009 Family Drug Court Program grant funding	XX						
2009-103	Ways and Means	Treasurer-Transfer fee revenue/sales proceeds fr. delinquent property tax sale	XX						
2009-104	Ways and Means	Board of Comm. - Addition of names to the Veteran's Monument	XX	XX					
2009-105	Ways and Means	ISD - Grant funding for stimulus broadband collaboration efforts	XX						
2009-106	Ways and Means	Community Corrections - PA-511 Community Corrections grant	XX						
2009-107	Ways and Means	Health Dept. - Amendment No. 3 to 2008/2009 CPBC Agreement	XX						
2009-108	Ways and Means	Health Dept. - Executive Order 2009-22, State funding reductions	XX						
2009-109	Ways and Means	911 - Completion of Riverfront Siren System project	XX						
2009-110	Ways and Means	Division on Aging - Budget adjustments	XX						
2009-111	Ways and Means	Finance Dept. - 2010 Budget Schedule and Calendar	XX						
2009-112	Ways and Means	Environmental Affairs - Farmland Development Rights Ordinance 49	XX						
2009-113	Human Services	Division on Aging - Agreement with Citizens for Better Care	XX						
2009-114	Personnel/Judicial	Sheriff Dept. - Inmate Service Contract with Blue Cross/Blue Shield	XX						
2009-115	Personnel/Judicial	Fill vacancies: Sheriff Dept., 911, Division on Aging, Health Dept.	XX	XX					
2009-116	Personnel/Judicial	Eliminate Legal Secretary in Defender office, fill Legal Secretary in Prosecutor office	XX						
2009-117	Board of Comm.	Accounts payable, BAYANET claims and Center Ridge Arms claims	XX						
2009-118	Board of Comm.	Reports of Executive: Employment, Unemployment, Workers Comp	XX						

PAGE 2 of 2

MOTION/ INTRODUCED/ SUSPENSE BY RES. NO.	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
100	RES. NO. 100							
101	RES. NO. 101							
102	RES. NO. 102							
103	RES. NO. 103							
104	RES. NO. 104							
105	RES. NO. 105							
106	RES. NO. 106							
107	RES. NO. 107							
108	RES. NO. 108							
109	RES. NO. 109							
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155	RES. NO. 155							
156	RES. NO. 156							
157	RES. NO. 157							
158	RES. NO. 158							
159	RES. NO. 159							
160	RES. NO. 160							
161								

[illegible]

BAY COUNTY BOARD OF COMMISSIONERS**6/9/09****RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (4/21/09)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

A. Register of Deeds - Typist Clerk III (ft - \$12.71/hr. entry)(general fund)

RESOLVED That budget adjustments, if required, are approved.

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated if grant funding is terminated.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Register of Deeds - Vacancy

MOVED BY COMM. Gwizdala

SUPPORTED BY COMM. Duranczyk

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier		✓		Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan		✓		Donald J. Tilley		✓	

VOTE TOTALS:

ROLL CALL: ✓ YEAS 5 NAYS 3 EXCUSED 1
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (6/2/09)
- WHEREAS, The Circuit Court-Family/Juvenile Division wishes to apply for a grant through the U. S. Department of Justice and Delinquency Prevention (OJJDP) for funding under the FY 2009 Family Drug Courts Program, said application due June 15, 2009; and
- WHEREAS, This program seeks to develop and establish drug courts for substance-abusing adults involved with the family dependency court as a result of child abuse and neglect issues; and
- WHEREAS, This program provides services to the children of the parents in the program as well as the parents; and
- WHEREAS, Applicants are limited to states, state and local courts, units of local government, and federally recognized tribal governments acting directly or through agreement with other public or private entities; and
- WHEREAS, If Bay County qualifies, it is the intent to apply for the grant which may not exceed \$500,000 for 3 years with the federal share not to exceed 75% of the total projects with a minimum of 25% of the total project costs coming from local sources; and
- WHEREAS, The local match requirement can be satisfied with either cash or in-kind services and Bay County expects to meet the local match with in-kind services; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners supports and authorizes the Circuit Court-Family/Juvenile Division application for FY 2009 Family Drug Courts Program grant funding and authorizes the Chairman of the Board to sign said application and related documents and, if successful, the grant award documents, on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Probate Ct - OJJDP - 2009 Family Drug Courts Program

MOVED BY COMM. TilleySUPPORTED BY COMM. Kilda

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

 DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS
6/9/09
RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (6/2/09)
- WHEREAS, The Bay County Board of Commissioners approved the Bay County Treasurer to be the Foreclosing Governmental Unit and conduct all activities necessary to collect the non-payment of delinquent real property taxes including the foreclosing and sale of the real property; and
- WHEREAS, The second year for this process was the 2004 delinquent real property taxes foreclosed and sold in 2007; and
- WHEREAS, State law provides for excess sales proceeds after the Delinquent Tax Revolving Fund is completely reimbursed for all taxes, penalty, interest and fees to be partially or completely transferred to the County's General Fund two years after the sale; and
- WHEREAS, State of Michigan Department of Treasury numbered letter 2000-8 directs the fee revenue to be transferred to the County's Delinquent Tax Revolving Fund; and
- WHEREAS, Fee income totals \$65,994.02 and net sales proceeds total \$61,278.90; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the transfer of \$61,278.90 from the Delinquent Property Tax Foreclosure Fund to the General Fund as allowed by State Law; Be It Further
- RESOLVED That the Bay County Board of Commissioners approves the transfer of \$65,994.02 or the final reconciled amount, expected to be slightly higher, from the Delinquent Property Tax Foreclosure Fund to the Delinquent Tax Revolving Fund as directed by the State of Michigan Department of Treasury numbered letter 2000-8; Be It Finally
- RESOLVED That required budget adjustments are approved.

BRIAN K. ELDER, CHAIR
 AND COMMITTEE

Treasurer - Transfer Fee Revenue & Sale Proceeds from 2007DRPT Sale

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Coonan

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE

WHEREAS, The Bay County Board of Commissioners has previously honored those killed in action in service to their country in the military by placing their names on the monument in front of the Bay County Building; and

WHEREAS, Thus far there have been three Bay County residents who have given the ultimate sacrifice in military service to the United States of America in Operation Iraqi Freedom; and

WHEREAS, We would like to honor these servicemen in a similar manner; Therefore, Be It

RESOLVED That the names of Staff Sergeant Eugene H. E. Alex, deceased September 2, 2006; Private First Class Alan R. Blohm, deceased December 31, 2006; and Private First Class Bufford K. VanSlyke, deceased February 28, 2007 be added to the list on the monument in front of the Bay County Building under the conflict titled Operation Iraqi Freedom; Be It Further

RESOLVED That funds required (\$1,500) shall come from the Veterans Trust Fund.

VAUGHN J. BEGICK

3RD DISTRICT COMMISSIONER

Resolution Sponsored by Commissioner Begick

Veterans Monument - Operation Iraqi Freedom Casualties

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____

AMENDED ✓ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (6/2/09)

WHEREAS, On February 17, 2009 President Barack Obama signed the American Recovery and Reinvestment Act of 2009 and within the Act, \$7.2 billion dollars was allocated for the use of broadband deployment to local governments, nonprofit agencies and vendors; and

WHEREAS, A total of \$4.7 billion will be funneled through the bureau of the U.S. Department of Commerce entitled National Telecommunications and Information Administration (NTIA); and

WHEREAS, The remaining stimulus of \$2.5 billion will be distributed by the Rural Utilities Service (RUS) within the U.S. Department of Agriculture. This portion of the funding is intended for the usage of rural broadband access. The amount for the State of Michigan is slated at \$300 million; and

WHEREAS, The funding for this endeavor will be financially supported by the Federal Act alone. No matching dollars are required to access this funding for broadband initiatives throughout Bay County; and

WHEREAS, The costs that may occur once this funding has been depleted may require minimal maintenance costs moving forward, however, those costs should be minor in total dollar amounts; and

WHEREAS, Throughout this process of applying and securing funding, periodic updates will be presented to the Board as appropriate; and

WHEREAS, This is a one time funding opportunity that will allow the county to become the On/Off Ramps for the accessing of broadband activity throughout the county. In addition, collaboration efforts with the cities, townships and villages will further extend this broadband initiative to eventually reach every citizen that resides in Bay County. Finally, school districts and other non-profit organizations will have this opportunity to collaborate as well; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes ISD staff to make application for grant funding for stimulus broadband collaboration efforts; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the grant application and related documents including grant award documents, if successful, on behalf of Bay County following legal review/approval; Be It Finally

RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

ISD - Grant Funding - Stimulus Broadband Collaboration Efforts

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS 8 NAYS 0 EXCUSED 1

VOICE: YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS**6/9/09****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (6/2/09)
- WHEREAS, Bay County is required to submit a Comprehensive Community Corrections Plan to the State Office of Michigan Department of Corrections/Office of Community Corrections in order to be eligible to receive funding to implement programming that will help reduce prison admissions and manage jail populations; and
- WHEREAS, Fiscal Year 2010 funding will be based on objectives and implementation plans which will strengthen capabilities to impact prison admissions, improve utilization of the jails, strengthen design and improve utilization of the non-incarcerative sentencing options, and reduce recidivism without a demonstrable increase to the risk of public safety within the context of effective, community-based programming; and
- WHEREAS, Bay County has applied for and received grant funds through the Michigan Department of Corrections, Office of Community Corrections for the past 15 years; and
- WHEREAS, There are no match funds needed from Bay County to apply for and accept this grant; and
- WHEREAS, The total funding requested for 2010 for both Community Corrections Plans and Services and for Probation Residential Services is \$242,723 (2009 funding totaled \$226,005); Therefore, Be it
- RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Community Corrections Advisory Board to apply for the PA-511 Community Corrections Grant for 2010 and authorizes the Chairman of the Bay County Board of Commissioners to sign any and all related application and acceptance agreements and contractual agreements needed to implement the grant program all subject to legal review/approval; Be It Finally
- RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Community Corrections - 2010 Grant Funding

MOVED BY COMM. TilleySUPPORTED BY COMM. Coonan

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdaia	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (6/2/09)

WHEREAS, Amendment No. 3 to the 2008/2009 Comprehensive Planning Budgeting Contract with the Michigan Department of Community Health incorporates the Annual Budget, Output Measures, Funding/Reimbursement Matrix, updated program language and revised allocations received since the original Agreement was issued; and

WHEREAS, This Amendment reflects positive adjustments to funding levels as follows:

<u>PROGRAM ELEMENT</u>	<u>PREVIOUS LEVEL</u>	<u>REVISED LEVEL</u>	<u>CHANGE</u>
Children's Special Health Care Services (CSHCS)	\$30,141	\$37,535	\$7,394
Safe Fish and Game	<u>\$0</u>	<u>\$5,833</u>	<u>\$5,833</u>
TOTAL CPBC FUNDING	\$1,118,105	\$1,131,332	\$13,227

Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that Amendment No. 3 to the FY 2008/2009 CPBC Agreement between Bay County and the Michigan Department of Community Health for the delivery of public health services under the Comprehensive Planning, Budgeting and Contracting (CPBC) Process for the period October 1, 2008 through September 30, 2009 is hereby approved and the Chairman of the Board authorized to execute said amended Agreement following legal review/approval; Be It Further

RESOLVED That budget adjustments required are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

HealthDept - Amend#3- 08-09 CPBC Agt.

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Richard L. Byrne	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (6/2/09)
- WHEREAS, Per Executive Order 2009-22, the Michigan Department of Community Health (MDCH) is mandated to reduce various FY 2009 agreements to comply with the reduced level of FY 2009 appropriations; and
- WHEREAS, Per the terms of the Comprehensive Planning and Budgeting Contract (CPBC) Agreement, all agreements are subject to the availability of funding; and
- WHEREAS, Effective July 1, 2009, the State Agreement funding allocation for the Local Public Health Operations (LPHO) has been reduced by \$11,651 and the Local Maternal and Infant Health Program (MIHP) has been reduced by \$572;
- Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the adjusted FY 2008-2009 Health Department budget to reflect the State's funding reductions.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Health - CPBC - Funding Reductions

MOVED BY COMM. TilleySUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS**6/9/09****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (6/2/09)
- WHEREAS, Bay County Central Dispatch has recently purchased the siren radio and the Riverfront Siren System is now activated with the new radio; and
- WHEREAS, The antenna and all existing siren equipment is still located at the Bay City Department of Public Works and should be moved to Bay County Central Dispatch where 9-1-1 supervisors activate the system when necessary and to also ensure the equipment is on an excellent back-up battery system in addition to the 9-1-1 generators. Presently the equipment is on back-up battery and not generator supply; and
- WHEREAS, This project would be funded entirely with 9-1-1 Central Dispatch millage dollars and funds (\$16,929.90) are available for this project which includes construction of the new 50' heavy duty tower, antenna and FCC licensing with installation of this equipment being done by Anderson Radio; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the last phase and completion of the Bay County Riverfront Siren System which includes the purchase/installation of new 50' heavy duty tower, antenna and FCC licensing; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute any documents that may be required for completion of the Bay County Riverfront Siren System on behalf of Bay County following legal review/approval; Be It
- RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

911 Central Dispatch - Completion of Riverfront Siren System Project

MOVED BY COMM. TilleySUPPORTED BY COMM. Kilda

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-15-

BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

BY: WAYS AND MEANS COMMITTEE (6/2/09)

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 06/09/2009 and, if required, the Chairman of the Board is hereby authorized to execute any documentation necessary for said Budget Adjustments on behalf of Bay County:

<u>Request Number</u>	<u>Fund Involved</u> <u>Department Involved</u>	<u>Favorable Impact</u>	<u>Unfavorable Impact</u>	<u>No Impact</u>
'09/05-643	Division on Aging Fund Fund Balance Administration		32,800.	

To budget for more food and supplies for three nutrition activities to carry these activities through 9/30/09. The three month budgets do not automatically roll onto Munis. So these funds are being moved to assure funds in line item thru end of the fiscal year.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Klida

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	<input checked="" type="checkbox"/>			Dawn A. Klida	<input checked="" type="checkbox"/>			Brian K. Elder			<input checked="" type="checkbox"/>
Patrick H. Beson	<input checked="" type="checkbox"/>			Ernie Krygler	<input checked="" type="checkbox"/>			Eugene F. Gwizdala	<input checked="" type="checkbox"/>		
Vaughn J. Begick	<input checked="" type="checkbox"/>			Kim Coonan	<input checked="" type="checkbox"/>			Donald J. Tilley	<input checked="" type="checkbox"/>		

VOTE TOTALS:

ROLL CALL: YEAS 8 NAYS 0 EXCUSED 1
VOICE: ☒ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ☒ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

-16-

BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (6/2/09)

RESOLVED By the Bay County Board of Commissioners that the attached 2010 Budget Schedule and Calendar is approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

2010BudgetSchedule/Calendar

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: ✓ YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY, MICHIGAN
2010 BUDGET SCHEDULE AND CALENDAR

Tuesday	WAYS AND MEANS COMMITTEE MEMBERS REVIEW AND APPROVE BUDGET SCHEDULE AND CALENDAR.
2-Jun-09	
Tuesday	BOARD OF COMMISSIONERS REVIEW AND APPROVE BUDGET SCHEDULE AND CALENDAR.
9-Jun-09	
Monday	DISTRIBUTE 2010 BUDGET PACKAGE AND FORMS TO DEPARTMENTS.
29-Jun-09	
Tuesday	DEPARTMENTS TO SUBMIT COMPLETED 2010 BUDGET REQUEST ON LINE TO BUDGET DEPARTMENT FOR SUMMARIZATION.
21-Jul-09	
Monday	BUDGET PREPARATION REPORT TO DEPARTMENTS FOR REVIEW; AND BUDGET WORKBOOKS TO BOARD OF COMMISSIONERS.
17-Aug-09	
N/A	BEGIN 2010 BUDGET HEARINGS WITH DEPARTMENTS, COMMISSIONERS AND PUBLIC INVITED.
N/A	CONCLUDE 2010 BUDGET HEARINGS.
Wednesday	PUBLISH AND POST NOTICE OF PUBLIC HEARING FOR THE 2010 BUDGET AND FOR THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE PROPOSED BUDGET.
16-Sep-09	
Thursday	COUNTY EXECUTIVE SUBMITS 2010 BUDGET TO THE BOARD OF COMMISSIONERS.
1-Oct-09	
Friday	COUNTY EXECUTIVE SUBMITS 2010 BUDGET TO DEPARTMENT/DIVISION HEADS AND OTHER ELECTED OFFICIALS.
2-Oct-09	
Tuesday	WAYS AND MEANS COMMITTEE REVIEWS BUDGET; ANNOUNCES PUBLIC HEARING FOR 2010 BUDGET TO BE HELD ON OCTOBER 13, 2009.
6-Oct-09	
Tuesday	PUBLIC HEARING ON 2010 PROPOSED BUDGET AND FOR THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE PROPOSED BUDGET.
13-Oct-09	
Tuesday	TENTATIVE ADOPTION OF THE 2010 BUDGET BY THE BAY COUNTY BOARD OF COMMISSIONERS.
27-Oct-09	

BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (6/2/09)

WHEREAS, A proposed Bay County Farmland Development Rights Ordinance, Ordinance 49, was submitted to the Bay County Board of Commissioners, via the Ways and Means Committee 4/14/09; and

WHEREAS, In accordance with the Rules of the Bay County Board of Commissioners the proposed Ordinance was referred to the full Board and a public hearing on the proposed Ordinance was held 5/12/09 with input received from one individual with regard to typographical and formatting errors which have been corrected in the attached Ordinance; and

WHEREAS, A notice was published in the Bay City Times informing the public that the Ordinance will be considered for adoption on 6/9/09; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners, the attached Bay County Farmland Development Rights Ordinance, Ordinance 49, as presented is hereby ordained.

BRIAN K. ELDER, CHAIR

AND COMMITTEE

Environmental Affairs - Farmland Ordinance Final Adoption

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Krygier

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: ✓ YEAS 8 NAYS 0 EXCUSED 1

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-19-

Bay County Farmland Development Rights Ordinance

Adopted by the Bay County Board of Commissioners on June 9, 2009

Ordinance No. 49

AN ORDINANCE creating the Bay County Farmland Preservation Program, which protects farmland by acquiring development rights voluntarily offered by landowners, authorizes the cash purchase and/or installment purchases of such development rights, places an agricultural conservation easement on the property which restricts future development, and provides the standards and procedures for the purchase of development rights and the placement of an agricultural conservation easement.

THE PEOPLE OF THE COUNTY OF BAY OF THE STATE OF MICHIGAN, DO ORDAIN THE BAY COUNTY FARMLAND DEVELOPMENT RIGHTS ORDINANCE:

Section 1: Declaration of Purpose

A. To preserve the economic importance of farmland and agriculture. Bay County's agricultural land is a unique and economically important resource. These lands support a locally important and globally unique agricultural industry that includes dairy, livestock, food from grains, vegetables, fruit, and nursery and greenhouse crops. Bay County's climate, topography, and accessibility make it well-suited to the production, processing, and distribution of agricultural products on a regional, national, and international level. Bay County's economic base is also supported by a variety of agriculturally related businesses, including farm equipment, fuel, veterinarians, grain dealers, packaging plants, and professional services, all worthy of preservation.

B. To ensure that other non-agricultural attributes of farmland continue. In addition to its economic benefits, the County's farmland contributes significantly to the open space and natural resource benefits, including rural character, scenic beauty, cultural heritage, hunting and other recreational opportunities, and the environmental benefits including watershed protection and wildlife habitat. By enhancing the scenic beauty and rural character of the County and providing other open space benefits, the County's farmland increases the overall quality of life and makes the County an attractive place to live and work for all of the County's residents.

C. To reduce the extent of development and farmland loss. Because of the County's natural resources, productive farmland and rural character, it has become a desirable place to live and work. As people move out into the countryside, agricultural land is converted to residential and other developed uses. This results in a corresponding permanent loss of farmland.

D. To minimize the impact of farmland loss. Land suitable for farming is an

irreplaceable natural resource with soil and topographic characteristics that have been enhanced by generations of agricultural use. When such land is converted to residential or other more developed uses that do not require those special characteristics, a critical community resource is permanently lost to the citizens of the County. Residential development in agricultural areas also makes farming more difficult by increasing conflict over farming practices and increased trespass, liability exposure and property damage. Because agricultural land is an invaluable economic, natural and aesthetic resource, the County should make an effort to maintain agricultural land in a substantially undeveloped state to ensure the long-term viability of agriculture and to create a long-term business environment for agriculture in the County.

E. To implement State and local policies. It is the policy of the State of Michigan and Bay County to protect, preserve and enhance farmland as evidenced by Township Master Plans, the Farmland and Open Space Preservation Act, the State Agricultural Preservation Fund, the Conservation and Historic Preservation Easement Act, portions of the Michigan Planning Enabling Act, and other state and local statutes and policies. These measures by themselves, however, have not effectively provided sufficient long-term protection of farmland in Bay County from the pressure of increasing residential and commercial development.

F. To arrest the value of development rights. Generally, farmland has a greater market value for future residential development than the market for farming. The features of good farmland, such as perkable soils and open space views, are also the features desired for residential home sites. This fact encourages the speculative purchase of farmland at high prices for future residential development, regardless of the current zoning of such lands. Farmland which has a greater development potential and market value than its agricultural value does not attract sustained agricultural investment and eventually is sold to non-farmers and removed from agricultural use.

G. To protect farmland. In order to maintain a long-term business environment for agriculture in the County to preserve the rural character and scenic attributes of the County, to enhance important environmental benefits, and to maintain the quality of life of County residents.

H. To increase the number of properties remaining substantially undeveloped. In order to remain viable for agricultural use through the purchase of development rights and the placement of agricultural conservation easements on farmland as provided in this Ordinance. Acquisition of development rights requires that the County enter into agreements with property owners to obtain such development rights and that the County will purchase development rights and enter into agricultural conservation easements.

I. *Intent of Ordinance.* The intent of this Ordinance is to provide a mechanism for farmland preservation. It is not the intent of this Ordinance to set a standard or establish a commitment regarding the available resources or budgetary priorities of this or any future County Board of Commissioners. Further, while the intent of this Ordinance is to initially seek development rights for 25-50% of all agricultural acres in the County, the actual number of acres for which development rights will be purchased shall remain the prerogative of future County Boards of Commissioners.

Section 2: Definitions

A. "Agricultural conservation easement" means a conveyance by a written instrument, in which, subject to permitted uses, the owner relinquishes to the public in perpetuity his or her development rights and makes a covenant running with the land not to undertake development.

B. "Agricultural use" means substantially undeveloped land devoted to the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities. Agricultural use includes use in a federal acreage set-aside program and/or a federal conservation reserve program or a wetland reserve program. Agricultural use does not include the management and harvesting of a woodlot.

C. "Development" means an activity that materially alters or affects the existing conditions or use of any land in a manner that is inconsistent with an agricultural use.

D. "Development rights" means an interest in land that includes the right to construct a building or structure, to improve land for development, to divide a parcel for development purposes or to extract minerals incidental to a permitted use or as set forth in (MCL 324.36101), an instrument recorded under this part.

E. "Farmland" means one or more of the following:

- i. A farm of 40 or more acres in one ownership with 51% or more of the land area devoted to an agricultural use.
- ii. A farm of 5 acres or more in one ownership, but less than 40 acres, with 51% or more of the land area devoted to an agricultural use that has produced a gross annual income from agriculture of \$200.00 per year or more per acre of cleared and tillable land. A farm described in this subparagraph enrolled in a federal acreage set-aside program or a federal conservation reserve program is considered to have produced a gross annual income from agriculture of \$200.00 per year or more per acre of cleared and

- tillable land.
- iii. A farm designated by the Michigan Department of Agriculture as a specialty farm in one ownership that has produced a gross annual income of \$2,000.00 or more from an agricultural use. Specialty farms include, but are not limited to, greenhouses; equine breeding and grazing; the breeding and grazing of cervidae, pheasants, and other game animals; bees and bee products; mushrooms; aquaculture; and other similar uses and activities.
 - iv. Parcels of land in ownership that are not contiguous but that constitute an integral part of a farming operation being conducted on land otherwise qualifying as farmland.

"Intensity of development" means the height, bulk, area, density, setback, use, and other similar characteristics of development.

G. "Parcel" means a quantity of land in the possession of a single owner.

H. "Permitted use" means any use expressly authorized within an agricultural conservation easement consistent with the farming operation or that does not adversely affect the productivity of the land. Storage, retail or wholesale marketing, or processing of agricultural products is a permitted use in a farming operation if more than 50% of the stored, processed, or merchandised products are produced by the farm operator for at least three of the immediately preceding five years. Permitted uses include oil and gas exploration and extraction and utilities for the production of alternative energies, but do not include other mineral development that is inconsistent with an agricultural use.

I. "Property owner" means the party or parties having a freehold estate or fee simple interest in land.

J. "PDR program" means a purchase of development rights program as defined in the Michigan Zoning Enabling Act.

Section 3: Authorization

A. Pursuant to the Michigan Zoning Enabling Act, the County Board of Commissioners is authorized to purchase the development rights of farmland throughout the County. Such acquisition may be by purchase, gift, grant, bequest, devise, covenant or contract. The County shall only purchase farmland development rights that are voluntarily offered for sale by a property owner.

B. The County is authorized to enter into installment purchase contracts, options, and agreements or to take receipt of donations of easements, consistent with applicable law. The County is authorized to pay interest on the declining unpaid principal balance at a legal rate of interest consistent with prevailing market conditions at the time of execution of the installment purchase contract.

C. The County Executive shall implement administrative duties necessary to the Program and the County may, if authorized by its County Commission, contract with recognized and legally established non-profit land trusts or other experienced and qualified individuals, parties or entities that would assist the County in the process of negotiating easements and purchase contracts, establishing baseline studies, procedures and actual monitoring of any agricultural conservation easements acquired under this Ordinance.

D. The County is authorized to seek grants from federal and state government and private foundations, organizations and individuals for funding for expenditures incurred in carrying out this Ordinance.

Section 4: County Agriculture Preservation Committee

A. The County Board of Commissioners shall create a seven member body under this Ordinance to be named the County Agriculture Preservation Committee which shall advise the County Executive. The seven voting members shall be residents of the County and will be appointed by the County Board of Commissioners and will include: (a) one County Commissioner or designee, (b) one Bay County Township Officers Association representative, (c) one representative from the Bay County Farm Bureau, (d) one individual with real estate or development interests, and (e) three at-large individuals representing geographically significant areas of the County:

- i. One representing North of Linwood Road
- ii. One representing South of Linwood Road and West of the Saginaw River
- iii. One representing East of the Saginaw River

B. Members of the County Agriculture Preservation Committee shall serve three-year staggered terms, with the exception that the County Commissioner representative shall be designated on an annual basis. The initial terms shall be staggered so that the Bay County Township Officers Association representative and the real estate representative serve an initial one-year term, the Bay County Farm Bureau representative and the representative for South of Linwood Road and West of the Saginaw River serve an initial two-year term, and the representatives for North of Linwood Road and for East of the Saginaw River serve an initial three-year term. Members may be reappointed to successive three-year terms by the County Board of Commissioners. The County Board of Commissioners shall have the discretion to remove members for inefficiency, neglect of duty or malfeasance in office. Vacancies due to removal or resignation shall be filled for the remainder of a term by appointment by the County Board of Commissioners. Members may not be compensated for their services.

C. The County Agriculture Preservation Committee shall oversee the County's Farmland Preservation Program and shall be responsible for:

- i. Establishing selection criteria for the ranking of applications to the program. The selection criteria must be approved by the County Executive prior to each application cycle.
- ii. Reviewing and providing oversight in scoring all applications according to the adopted selection criteria.
- iii. Ranking the top scoring applications for acquisition and making recommendations to the County Executive for the purchase of development rights.
- iv. Approving the restrictions and permitted uses under the agricultural conservation easement subject to legal review of County Corporation Counsel.
- v. Establishing the price to be offered to the property owner and authorizing negotiations for the purchase of development rights and agricultural conservation easements. All purchases of agricultural conservation easements must be approved by the County Executive and the County Board of Commissioners.
- vi. Establishing monitoring procedures and overseeing subsequent monitoring to ensure compliance with the agricultural conservation easement. Enforcement of the agricultural conservation easement in the case of non-compliance shall be the responsibility of the County Executive.

D. Individual County Agriculture Preservation Committee members shall promptly disclose any potential conflict of interest and may not vote when a conflict exists. Conflicts of interest include, but are not confined to, situations where: (1) the board member is the applicant, (2) the member is a relative of the applicant, (3) the board member has a business association or ties with the applicant, or (4) the board member, a relative, or a business associate could receive financial gain or benefit from the acceptance of the application.

E. If recommended by the County Executive after consultation with the County Agriculture Preservation Committee, and as approved by the County Board of Commissioners, the County may contract with qualified and experienced individuals or entities for consulting or staffing services.

F. The County Agriculture Preservation Committee shall provide the County Executive and the County Board of Commissioners an annual report outlining the administration of the program, issues addressed and outcomes of the program for the preceding year, including the selection criteria, number of applications, number of eligible properties, agricultural value, development rights purchased, and other information regarding the status and activities undertaken with respect to this Ordinance.

Section 5: Eligibility for Application

Any property owner may submit an application to the Bay County Farmland Preservation Program provided the application meets the following guidelines:

- A. The property owner has signed the application, indicating interest in voluntarily selling the development rights to the parcel.
- B. At least 51% of the parcel's area is devoted to an active agricultural use and no more than 49% of the parcel may be devoted to non-agricultural open space consisting of wetlands, woodlands, or otherwise unusable land.
- C. The County shall not purchase development rights under this Farmland Development Rights Ordinance from land subject to a city, village, or township zoning ordinance unless all of the following requirements are met:
 - i. The Farmland Development Rights Ordinance provisions for the PDR program are consistent with the plan upon which the city, village, or township zoning are based.
 - ii. The legislative body of the city, village, or township adopts a resolution authorizing the PDR program to apply in the city, village, or township.
 - iii. The city, village or township provides the County with written approval of the purchase.
- D. The property is not planned for commercial, industrial or high density residential uses under the city, village or township master plan.
- E. Agricultural activities are a permitted use on the parcel under all applicable zoning ordinances.

Section 6: Criteria for Reviewing and Ranking Applications

The County Agriculture Preservation Committee shall establish selection criteria for ranking all eligible parcels submitted to the County Farmland Preservation Program. These criteria shall be subject to the approval of the County Executive and County Board of Commissioners. The selection criteria shall place an emphasis on farmland that:

- A. Has a productive capacity suited for the production of feed, food and fiber and has a greater potential for long-term agricultural production. Specific selection criteria may be based on soil classifications, parcel size, agricultural income, enrollment in the Farmland and Open Space Preservation Act, or the implementation of conservation practices.

B. Is under the threat of development. Specific selection criteria may be based on distance from public sanitary sewer, the extent of development activity in the township, or the amount of road frontage.

C. Complements other farmland protection efforts in the County. Specific selection criteria may include distance from other permanently protected farmland, proximity to other protected lands or surrounding land enrolled in the State Farmland and Open Space Preservation Act, or inclusion in an agricultural zoning district.

D. Has additional matching funds provided by a local unit of government, landowner or private sources.

E. Other factors considered important by the County Agriculture Preservation Committee such as unique physical, historical or environmental characteristics.

Section 7: Application and Selection Process

A. The County shall on an annual basis, at the discretion of the County Agriculture Preservation Committee, conduct a voluntary application and selection process for property owners who wish to sell development rights under the County Farmland Preservation Program.

B. The County Executive shall begin each application cycle by giving notice at least 90 days in advance of the application deadline that the County is accepting applications to the County farmland preservation program. Notification shall be given in newspapers of general circulation within the County, through the County Farm Bureau, County Conservation District, MSU Extension – Bay County, local township offices, and other organizations.

C. The application may require information to be filled out by the property owner, the County Conservation District and the local unit of government.

D. All applications represent the applicant's intent to sell the development rights of the property to the County subject to mutually acceptable terms. The application will remain active per annual written approval of landowner, provided there are no subsequent modifications to the scoring criteria or application that requires additional information. Local cities, villages, and townships will be asked to sign a letter of continued support for standing landowner applications; and all applications, both new and old, will be scored and ranked for each cycle.

E. Each application shall be evaluated and scored according to the selection criteria approved by the County Executive and the County Agriculture Preservation Committee prior to the application cycle. At the close of the application deadline, an initial determination of eligibility shall be completed by the County Executive and County Agriculture Preservation Committee or

designated staff. The property owner shall be notified if their application is not eligible for the program.

F. The County Executive shall review the recommendation of the Agriculture Preservation Committee and shall rank parcels according to the selection criteria score but shall also individually evaluate and prioritize the top scoring parcels. Subject to review of the County Executive, the County Agriculture Preservation Committee may reprioritize the top scoring parcels based on individual review of each application and establishing a priority on which development rights should be purchased first based on available funds.

The written rationale for selection of the top scoring parcels shall be included with each application.

G. The County Executive shall submit the final ranking and prioritization of applications to the County Board of Commissioners for their preliminary approval in order to authorize the County Executive to proceed with the due diligence required to close and record the deed of easement.

H. Agricultural value shall be based upon a price established by the County Agriculture Preservation Committee using a state-certified appraiser.

I. Each purchase of development rights and agricultural conservation easement requires the recommendation of the County Executive prior to submission for approval of the County Board of Commissioners. The County Executive and the Board of Commissioners may alter the preliminary recommendation by the County Agriculture Preservation Committee to purchase the development rights at its discretion.

J. Upon mutual agreement to the negotiated terms of the purchase by the property owner and the County Agriculture Preservation Committee, but before the final approval of the County Board of Commissioners, a title search shall be completed before corporation counsel approval as to legal form, signing and recording of the agricultural conservation easement. Any questions or concerns regarding clear title to the property shall be resolved prior to signing of the agricultural conservation easement. All individuals, parties or entities with an interest in the property must be willing to agree to the terms and provisions of the agricultural conservation easement.

K. Once the application has been approved for purchase by the County Board of Commissioners, the County and the property owners shall sign the agricultural conservation easement and it shall be legally recorded with the County Clerk's office.

L. The County shall notify the appropriate local unit of government of each agricultural conservation easement.

M. The County Agriculture Preservation Committee shall notify the County Environmental Affairs Department for mapping purposes and the County Plat board of the landowner and legal description of all parcels purchased for future mapping purposes.

N. The agricultural conservation easement will be monitored in accordance with procedures and guidelines established by the County Executive subject to recommendations of the County Agriculture Preservation Committee and with the standards and guidelines adopted by the State of Michigan Agriculture Preservation Fund Board.

Section 8: Agricultural Conservation Easement Provisions

A. Upon the agreement of the sale of development rights by the County Executive, the County Agriculture Preservation Committee, the property owner and the County Board of Commissioners shall execute an agricultural conservation easement, approved as to legal form by County Corporation Counsel, by the County Agriculture Preservation Committee and the County Board of Commissioners, that will perpetually protect the parcel's agricultural use by preventing any use that would significantly impair or interfere with the agricultural value or use of the farmland. The agricultural conservation easement shall contain a provision indicating that the easement runs with the land and may not be terminated except as provided for in this Ordinance and the easement.

B. Restrictions on that portion of the property included in the agricultural conservation easement shall include, but not be limited to, the following:

- i. Property shall not be divided into parcels less than 40 acres in size.
- ii. The construction of residences for new owners of any divisions shall be prohibited.
- iii. Construction of any other buildings, unless they are built for uses consistent with farming operations shall be prohibited.
- iv. Commercial or industrial activity that is inconsistent with a typical farming operation shall be prohibited.
- v. Excavation of topsoil, sand, gravel, rock, minerals or other materials that significantly impairs or interferes with the agricultural values of the property shall not take place without prior written approval of the County Executive.

C. Permitted uses and retained development rights in the agricultural conservation easement shall include, but not be limited to, the following:

- i. Construction of buildings necessary for and consistent with agricultural uses.
- ii. The right to construct one additional residence for an individual

essential to the farm operation as defined in the Natural Resources and Environmental Protection Act. The structure built must be in conformance with all applicable federal, state and local laws, ordinances and regulations.

- iii. The right to maintain, renovate, add onto, or replace existing structures. The structures built must be in conformance with all applicable federal, state and local laws, ordinances and regulations.
- iv. The right to sell, mortgage, bequeath or donate the property, provided any conveyance will remain subject to terms of the easement.

Section 9: Duration of the Agricultural Conservation Easement

A. The agricultural conservation easement shall run with the land regardless of transfers in property ownership. It is the intent of this Ordinance to preserve valuable farmland through the establishment of permanent conservation easements. Development rights acquired pursuant to this Ordinance shall be held by the County in perpetuity and the development rights may be repurchased by the landowner only when one of the following two requirements have been met:

- i. A court of competent jurisdiction has determined through eminent domain that the use of those development rights is necessary for a specific public interest, need, or purpose. Upon a court's determination of eminent domain and that the purchase of the development rights from the County is necessary for a specific public interest, need, or purpose, the parties exercising the use of the development rights through eminent domain or the landowner shall pay to the County *the fair market value of those development rights* as determined by a state-certified appraiser *at the time of their repurchase and* before the termination of the agricultural conservation easement. The value of the development rights shall be determined as the difference between the fair market value of the property with all development rights intact and the value of the property for agricultural use with an agricultural conservation easement in place or the value of the developments. If the appraiser has a conflict of interest associated with a potential appraisal, the appraiser shall report the conflict to the County and the County shall select another appraiser to complete the appraisal.
- ii. Fifty (50) years have passed since the Development Rights were sold; and the County Board, upon receiving a recommendation from The Bay County Agriculture Preservation Committee (BCAPC), determines that the property may not be reasonably be used for agricultural use because the quality of the farmland is such that agricultural production cannot be made economically viable

with Generally Accepted Agricultural and Management Practices (GAAMP).

B. Upon repurchase of the development rights, the landowner shall pay interest at the rate of 6% per annum compounded from the time the development rights were first purchased and the easement recorded.

C. The County will deposit the proceeds from any repurchases into the County farmland preservation fund and the proceeds shall be used to support program efforts and purchase additional development rights and agricultural conservation easements on additional farmland within the County.

Section 10: Determining the Value of the Agricultural Conservation Easement

A. The County Agriculture Preservation Committee shall utilize a state-certified appraiser to determine the value of the development rights prior to each application cycle. The appraisal may calculate the value of the development rights as the difference between the fair market value of the property with all development rights intact and the value of the property for agricultural use with an agricultural conservation easement in place. Subject to review and approval of the County Executive, the County Agriculture Preservation Committee may establish guidelines, consistent with state standards, for the state-certified appraiser to use in determining the fair market value or the agricultural value.

B. The property owner may obtain, within a reasonable time frame, an appraisal of the development rights from a state-certified appraiser at the property owner's expense. The appraisal may calculate the value of the development rights as the difference between the fair market value of the property with all development rights intact and the value of the property for agricultural use with an agricultural conservation easement in place. Subject to review and approval of the County Executive, The County Agriculture Preservation Committee may establish guidelines, consistent with state standards, for the state-certified appraiser to use in determining the fair market value or the agricultural value.

C. Subject to review and approval of the County Executive, the County Agriculture Preservation Committee shall approve the price to be offered and paid for the agricultural conservation easement. If the property owner obtains an independent appraisal, the County Agriculture Preservation Committee may elect to renegotiate the initial offer based on qualified circumstances.

D. The property owner may be paid a cash payment or offered an installment purchase contract, or a combination of both.

Section 11: Related Costs

A. The cost of services requested by the County Agriculture Preservation Committee in relation to the County's Farmland Preservation Program shall be paid from all available Farmland Preservation Program funding sources within the County, including state and federal matching funds, which may include the cost of appraisal, engineering, surveying, planning, financial, legal, environmental assessments, title searches, developing baseline assessments, and for monitoring easements. The County shall not be responsible for any expenses incurred by the property owner incidental to any aspects of application for purchase of the development rights that the County Agriculture Preservation Committee has determined is the responsibility of the property owner, which may include title searches, appraisals, and surveying.

Section 12: Farmland Preservation Fund

A. Available funding for the County Farmland Preservation Program shall be deposited in a special farmland preservation fund. Money in such farmland preservation fund may be temporarily deposited in such institutions or invested in such obligations as the County Treasurer shall determine may be lawful for the investment of County money. The revenues from the deposit and/or investment of the farmland preservation fund shall be applied and used solely for the purpose of purchasing of development rights and agricultural conservation easements under this Ordinance, making payments obligated under installment purchase contracts, promoting farmland preservation programs, or paying for costs of administering or enforcing the County Farmland Preservation Program.

B. Supplemental or matching funds from private sources or other governmental agencies, including local municipalities, the State of Michigan or federal government, may become available to pay a portion of the cost of acquiring development rights or agricultural conservation easements or to supplement or enlarge such acquisitions. The County Board of Commissioners authorizes the County Executive upon recommendation of the County Agriculture Preservation Committee to use such funds to purchase development rights of farmland and acquire agricultural conservation easements.

C. The County may finance the County farmland preservation program through one or more of the following sources:

- i. General appropriations by the County.
- ii. Proceeds from the sale of development rights by the County under Section 9.
- iii. Grants.
- iv. Donations.
- v. General fund revenue.
- vi. Bonds or notes as permitted by law.

- vii. Special assessments as permitted by law.
- viii. Other sources approved by the County Board of Commissioners and permitted by law.

Section 13: Amendments

A. With the exception of Section 9, this Ordinance may be amended after receiving recommendation of the County Executive, a 2/3 recommendation by the Bay County Agriculture Preservation Committee and by a majority vote of the County Board of Commissioners pursuant to Article XIII of the Rules of the Bay County Board of Commissioners .

Section 14: Severability

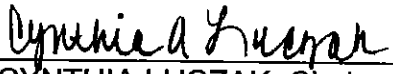
A. Any provision of this Ordinance which is found by a court of competent jurisdiction to be invalid, void or illegal shall in no way affect, impair or invalidate any other provision contained in the Ordinance and such other provisions shall remain in full force and effect.

Section 15: Effective Date

A. After this Ordinance is adopted by the Bay County Board of Commissioners, the Bay County Clerk shall certify its passage and the Chair of the Bay County Board of Commissioners shall sign it. This Ordinance shall then take effect seven (7) days after the date upon which notice of its adoption is published in a newspaper of general circulation in Bay County.

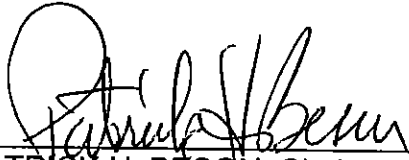
I, Cynthia Luczak, Clerk of the Board of Commissioners of the County of Bay, certify that the attached is a correct copy of Ordinance No. 49, Bay County Farmland Development Rights Ordinance.

I have set my hand and affixed the seal of the County of Bay, State of Michigan, this 12 day of June, 2009.



CYNTHIA LUCZAK, Clerk

STATE OF MICHIGAN)
)-ss-
COUNTY OF BAY)

I, PATRICK H. BESON, certify that I am the Chairman of the Board of Commissioners, County of Bay, State of Michigan, and that the above is a correct copy of an ordinance as it appears of record in the minutes of the County of Bay of June 9, 2009.


PATRICK H. BESON, Chairman
Board of Commissioners

APPROVED AS TO LEGAL FORM ONLY


MARTHA P. FITZHUGH
BAY COUNTY CORPORATION COUNSEL
DATE: 6/15/09

BAY COUNTY BOARD OF COMMISSIONERS**6/9/09****RESOLUTION**

- BY: HUMAN SERVICES COMMITTEE (5/19/09)
- WHEREAS, Citizens for Better Care is an organization that provides information and advocacy to enhance self-determination and well-being of consumers of Long Term Care Services; and
- WHEREAS, Citizens for Better Care has contacted the Division on Aging to enter into a working agreement for Fiscal year 2009 and beyond, and
- WHEREAS, The Bay County Division on Aging has an interest in exchanging information with Citizens for Better Care related to services available to older adults and their caregivers, and
- WHEREAS, The Bay County Division on Aging is willing to enter into a working agreement to encourage appropriate referrals to and from Citizens for Better Care; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners hereby approves the Agreement with Citizens for Better Care and authorizes the Board Chair to sign said Agreement and all related documents, subject to legal review/approval.

KIM COONAN, CHAIR
AND COMMITTEE

DOA - Citizens for Better Care Agt.

MOVED BY COMM. KrygierSUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (5/19/09)

WHEREAS, The Bay County Inmate Services Contract with Blue Cross/Blue Shield is up for renewal for the May 2009 - April 2010 period; and

WHEREAS, The Administrative Services Agreement administrative charge, which represents the cost paid by the county, is 11%, the same as the last contract period; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Administrative Services Contract with Blue Cross/Blue Shield for the period May 2009 - April 2010 is approved and the Chairman of the Board authorized to execute said Agreement following legal review; Be It Further

RESOLVED That any budget adjustments required are approved.

KIM COONAN, CHAIR
AND COMMITTEE

Sheriff Dept - BXBS ContractRenewal

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**6/9/09****RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (5/19/09)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

- A. Sheriff Department - CFO (ft - \$15.49/hr. entry (general fund)
- B. 9-1-1 Central Dispatch - Dispatcher (ft - \$12.57/hr. entry (millage funds)
- C. Division on Aging - On-Call Personal Care (\$10.63/hr.)/Homemaker (\$9.88/hr.)/Respite Care Worker (\$9.12/hr.) (pt) (millage funds)
- D. Division on Aging - Senior Center Director (pt - \$9.12/hr.) (millage funds)
- E. Health Department - Fish Consumption Advisory Educator (grant funds)

RESOLVED That budget adjustments, if required, are approved.

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated if grant funding is terminated.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Vacancies - June

MOVED BY COMM. Tilley

SUPPORTED BY COMM. Klida

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Beglick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED ✓ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**6/9/09****RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (5/19/09)

RESOLVED By the Bay County Board of Commissioners that a Legal Secretary position in the Public Defender's Office is eliminated; Be It Further

RESOLVED That authorization is granted to post/fill a Legal Secretary vacancy in the Prosecutor's Office.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Public Defender - Prosecutor - Legal Secretary Positions

MOVED BY COMM. TilleySUPPORTED BY COMM. Gwizdala

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS 6/9/09

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS

RESOLVED That the Bay County Board of Commissioners hereby approves the claims against the County as follows:

Bay County:

Accounts Payable:

5/15/09	\$1,108,434.45
5/29/09	\$590,757.23

Payroll A/P

5/20/09	\$20,192.25
---------	-------------

Veterans:

5/8/09	\$3,105.95
5/12/09	\$1,177.22
6/1/09	\$3,040.45

Handwritten:

6/1/09	\$1,192.35
--------	------------

BAYANET:

4/1/09-4/30/09 - payables	\$93,954.55
4/1/09-4/30/09 - payroll	\$22,309.82
5/1/09-5/31/09 - payables	\$18,129.06
5/1/09-5/31/09 - payroll	\$20,847.28

Center Ridge Arms:

6/3 /09 (claims)	\$123,442.42 (includes lateral transfer of funds from National City account to Independent Bank)
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**PATRICK H. BESON, CHAIR
BAY COUNTY BOARD OF COMMISSIONERS**

Payables - June Bd Mtg

MOVED BY COMM. Gurzdala

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Kilda	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonen	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS 8 NAYS 2 EXCUSED 1
VOICE: ✓ YEAS 8 NAYS 2 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED WITHDRAWN
AMENDED CORRECTED REFERRED

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BAY COUNTY BOARD OF COMMISSIONERS

6/9/09

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (6/9/09)

RESOLVED By the Bay County Board of Commissioners that the reports of the County Executive, listed below, are received:

Employment Status Report -May 2009

Unemployment Status Report - 1st Quarter 2009

Workers' Compensation - April 2009

PATRICK H. BESON, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. Gwizdala

SUPPORTED BY COMM. Begick

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygler	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 44 -

BAY COUNTY BOARD OF COMMISSIONERS**6/9/09****RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, Due to the need for expansion, efforts have been ongoing to relocate the Bay City State Post facility to Williams Township; and

WHEREAS, The Salzburg Road site has been determined to be the most feasible of the sites under consideration; and

WHEREAS, As consideration of this project was scheduled for Monday, June 8, 2009, a letter was sent to State of Michigan Department of Management and Budget by the Board Chair and the County Executive endorsing the relocation of the Michigan State Police Post in Williams Township; and

WHEREAS, The State's decision has been delayed; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners goes on record in support of the Salzburg Road site in Williams Township as the location for the new Michigan State Police Post; Be It Further

RESOLVED That a copy of this resolution be forwarded to Governor Granholm, our area Legislators, the Michigan Department of Management and Budget and the Michigan Association of Counties.

PATRICK H. BESON, CHAIR

AND BOARD

MOVED BY COMM. GwizdalaSUPPORTED BY COMM. Duranczyk

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	✓			Dawn A. Klida	✓			Brian K. Elder			✓
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			Donald J. Tilley	✓		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1DISPOSITION: ADOPTED ✓ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. DURANCZYK

MOTION NO.: 52

TO APPROVE THE REGULAR BOARD SESSION MINUTES OF
MAY 12, 2009.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 53

TO RECEIVE INFORMATION FROM A POWER POINT PRESENTATION REGARDING A PERFORMANCE BUDGETING AND BENCHMARKING PLAN FORMULATED BY MICHIGAN STATE UNIVERSITY EXTENSION, LOCAL GOVERNMENT SERVICES DIVISION, GIVEN BY DR. MARK SKIDMORE.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Kilda	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Klm Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 54

THAT BAY COUNTY ADMINISTRATION, FINANCIAL ANALYST AND COUNTY TREASURER, COLLABORATE EFFORTS WITH MICHIGAN STATE UNIVERSITY (MSU) EXTENSION, LOCAL GOVERNMENT SERVICES DIVISION, TO RESEARCH THE DEVELOPMENT OF A PERFORMANCE BASED BUDGETING/BENCHMARKING STRATEGY FOR BAY COUNTY, BASED ON THE RECOMMENDATION OF FINANCIAL ANALYST, ROBERT REDMOND.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Kilda	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 55

TO RECEIVE THE LETTER DATED MAY 15, 2009 FROM THE CITY OF BAY CITY FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FOR BAY CAST, BAY CITY, MICHIGAN, FOR PROPERTY LOCATED AT 400 WEBSTER STREET, BAY CITY, MICHIGAN, IN THE AMOUNT OF \$530.000.00.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. KLIDA

MOTION NO.: 56

TO RECEIVE THE FOLLOWING REQUESTS FOR
APPOINTMENT/REAPPOINTMENT TO THE BAY COUNTY
LIBRARY BOARD FOR ONE (1) FIVE YEAR TERM TO EXPIRE:

1. FRANK M. QUINN (INCUMBENT)
2. SAMANTHA SMITH

(AGENDA INCLUDED THE APPLICATION FOR SAMANTHA
SMITH BUT BOARD COORDINATOR CONFIRMED SHE HAD
WITHDRAWN HER REQUEST FOR CONSIDERATION FOR
APPOINTMENT.)

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. KRYGIER

MOTION NO.: 57

TO SCHEDULE A BUDGET MEETING DURING JULY 2009 WITH
ADMINISTRATION AND FINANCIAL ANALYST, ROBERT
REDMOND, TO DISCUSS BAY COUNTY'S CURRENT REVENUE
AND EXPENDITURES AND THE 2010 BUDGET PROJECTIONS.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. GWIZDALA

MOTION NO.: 58

TO RECEIVE THE LETTER DATED JUNE 4, 2009 FROM BRIAN K. ELDER, CHAIR, WAYS AND MEANS COMMITTEE, THAT CONCURS WITH THE INITIATIVE IMPLEMENTED BY GOVERNOR JENNIFER GRANHOLM TO "BUY MICHIGAN FIRST" AND ENCOURAGE THE COUNTY OF BAY TO DEVELOP A POLICY TO ENSURE THAT BAY COUNTY IS SUPPORTIVE IN THIS POSITION.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. KLIDA

MOTION NO.: 59

TO FILL THE FOLLOWING POSITION THROUGH
DECEMBER 31, 2009 AND AT THAT TIME, HAVE ANIMAL
CONTROL MANAGER, MICHAEL HALSTEAD, PROVIDE
FURTHER INFORMATION TO THE BOARD TO JUSTIFY THE
FUTURE OF THIS POSITION :

1. ANIMAL CONTROL - ANIMAL CONTROL OFFICER,
FULL TIME, AT \$15.35 PER HOUR ENTRY (GENERAL
FUND)

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygler	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. KLIDA

MOTION NO.: 60

TO FILL THE FOLLOWING POSITION THROUGH
DECEMBER 31, 2009 AND AT THAT TIME, HAVE THE
REGISTER OF DEEDS, VICKY ROUPE, PROVIDE FURTHER
INFORMATION TO THE BOARD TO JUSTIFY THE FUTURE OF
THIS POSITION:

1. REGISTER OF DEEDS - TYPIST CLERK III, FULL
TIME, AT \$12.71 PER HOUR ENTRY (GENERAL FUND)

(SEE RES. 2009-95 TO APPROVE/ADOPT FULL TIME)

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk		X		Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson		X		Ernie Krygler	X			Eugene F. Gwizdala		X	
Vaughn J. Begick		X		Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: XX YEAS 4 NAYS 4 EXCUSED 1

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED XX WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. KLIDA

MOTION NO.: 61

THAT FRANK M. QUINN SHALL BE REAPPOINTED TO SERVE
AS A MEMBER ON THE BAY COUNTY LIBRARY BOARD FOR A
FIVE (5) YEAR TERM TO EXPIRE JUNE 30, 2014.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: JUNE 9, 2009

MOTION SPONSORED BY: COMM. GWIZDALA

MOTION SUPPORTED BY: COMM. KLIDA

MOTION NO.: 62

TO ADJOURN THE REGULAR BOARD SESSION OF JUNE 9,
2009 AT 5:40 P.M.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk	X			Dawn A. Klida	X			Brian K. Elder			X
Patrick H. Beson	X			Ernie Krygier	X			Eugene F. Gwizdala	X		
Vaughn J. Begick	X			Kim Coonan	X			Donald J. Tilley	X		

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: XX YEAS 8 NAYS 0 EXCUSED 1

DISPOSITION: ADOPTED XX DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____